

REMARKS

Claims 1-26 are pending in this application. In the April 4, 2005 Office action, the Examiner:

- A. Rejected claims 1 and 3 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,480,067 to Kobayashi (hereinafter “Kobayashi”);
- B. Allowed claims 2 and 4; and
- C. Objected to claims 5-25 under 35 U.S.C. § 1.75(c) as being in improper form because of multiple dependent claims.

The objections and rejections made by the examiner in the April 4, 2005 Office action suggest that the examiner has failed to consider the claim amendments filed by preliminary amendment on February 27, 2004. A copy of the February 27, 2004 preliminary amendment is enclosed. As can be clearly seen on the preliminary amendment, applicant amended each of claims 1-26. These amendments removed all multiple dependent claims from the application. In the April 4, 2005 Office action, the examiner objected to claims 5-25 as being in improper form because of multiple dependent claims. In view of the February 27, 2004 preliminary amendment, this objection was clearly improper.

Because the examiner has failed to consider the claim amendments made in the February 27, 2004 Preliminary Amendment, applicant respectfully requests consideration of each of claims 5-26 on the merits in a subsequent non-final office action. In addition,

applicant respectfully requests reconsideration of claims 1-4, based on the February 27, 2004 preliminary amendment. Finally, applicant respectfully requests entry and consideration of new claims 27-30 as provided in the February 27, 2004 preliminary amendment.

It is respectfully submitted the applicants have made a patentable contribution to the art as set forth in claims 1-30 of the present application. Favorable reconsideration of the application, along with a prompt Office action on the merits and allowance of the claims, is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Russ Fowler", with a long horizontal flourish extending to the right.

Russell E. Fowler II
Attorney for Applicants
Attorney Registration No. 43,615
Maginot Moore & Beck
Bank One Center Tower
111 Monument Circle, Suite 3000
Indianapolis, Indiana 46204-5115
Telephone: (317) 638-2922